

Rickner PLLC

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June 17, 2022

Via ECF

Hon. Nelson S. Roman
The Hon. Charles L. Briant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, New York 10601-4150

USDC SDNY
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Re: *Jones v. City of Mt. Vernon et al.*, 22-cv-00414 (NSR)

Dear Judge Roman,

We represent the Plaintiff Ronald Jones and we write, jointly with the Defendants, to request a modification of the standard discovery schedule in Southern District of New York Local Civil Rule 83.10 (the "Section 1983 Plan").

In this action, Plaintiff alleges a wrongful prosecution, including more than a year in jail. Defendants dispute all claims. After the case was filed, Defendants filed a partial motion to dismiss, which is now fully briefed. If granted, even in full, claims regarding the prosecution would remain. So the parties engaged in a meet and confer and agreed that some non-*Monell* discovery would be useful in trying to reach a potential resolution.

Under the Section 1983 Plan, the parties exchange limited discovery related to the underlying criminal prosecution. That, the parties believe, is not sufficient. Thus, we ask that instead the parties obtain and exchange all the discovery from the underlying criminal action—the court file, the district attorney's records, the police file, and the defense attorney's file—and then consider whether mediation will be productive.

Thus, we ask that the Court modify the Section 1983 Plan to include all files related to the underlying criminal action, to be exchanged within 90 days. The parties would then inform the Court whether mediation will be productive within 30 days after the files are exchanged.

Defendants have reviewed this letter motion, and join in the request.

Respectfully,

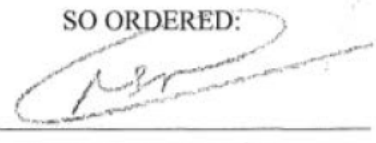
/s/

Rob Rickner

The parties are directed to submit a proposed discovery order.

Dated: June 17, 2022
White Plains, NY

SO ORDERED:


NELSON S. ROMÁN
United States District Judge

MEMO ENDORSED